

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

W.P.No.24052 of 2007

Dated:15.11.2007

Between:

Dasari Pedda Ganga Devi and others.

..Petitioners.

and

The District Collector, Krishna District, Machilipatnam and another.

..Respondents.

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THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

W.P.No.24052 of 2007

ORDER:

This writ petition is filed for a writ of mandamus to declare the action of the respondents in seeking to acquire the lands covered by Sy.Nos.455/3, 455/4, 455/5 and 455/6, admeasuring Ac.1.33 cents of land situated in Advaninakkalam, Agiripalli Mandal, Krishna District by notification, dated 05.10.2007, issued under Section 4(1) of the Land Acquisition Act, 1894 (for short 'the Act'), as illegal and arbitrary.

Heard Sri P.R. Prasad, learned counsel for the petitioners and the learned Assistant Government Pleader for Land Acquisition.

The only apprehension expressed by the petitioners in this writ petition is that though an enquiry under Section 5-A of the Act is not dispensed with, so far, respondent No.2 has not held formal enquiry despite the fact that they were summoned twice or thrice to the office of respondent No.2.

The learned Assistant Government Pleader for Land Acquisition says that the respondents will hold an enquiry, if not already held.

Having regard to the above said contention raised by the learned counsel for the petitioners, I deem it appropriate to dispose of the writ petition with a direction to respondent No.2 to consider the objections filed by the petitioners on 03.11.2007, and afford them opportunity of personal hearing before concluding the enquiry under Section 5-A of the Act. Till such time, the petitioners shall not be dispossessed from their respective lands. No costs.

C.V.NAGARJUNA REDDY, J

Dated:15.11.2007

Note:

Issue CC by two days.

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